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PATENT  
Attorney Docket No.: 023070-099910US  
Client Ref. No.: 99-404-2

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On October 26, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Patricia Andrews

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FISCHER et al.

Application No.: 09/840,743

Filed: April 23, 2001

For: NUCLEIC ACIDS THAT  
CONTROL PLANT DEVELOPMENT

Customer No.: 20350

Confirmation No. 5027

Examiner: KUBELIK, Anne R.

Technology Center/Art Unit: 1638

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed April 20, 2004 as well as the office communication dated October 13, 2004, please enter the following amendments and remarks. This amendment includes the original arguments made in the Amendment filed July 20, 2004, and also addresses the issues raised in the October 13 office communication.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Abstract** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

**Amendments to the Title:**

Please replace the title with the following::

--Methods for modulating floral organ identity, modulating floral organ number, increasing of meristem size, and delaying flowering time--